

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

915Q0507

HOUSE BILL NO. 1284

Introduced by: Representative Noem and Senator Rhoden

1 FOR AN ACT ENTITLED, An Act to provide for the transport of electricity generated by
2 certain customer-owned wind generation facilities and to establish maximum transporting
3 charges for the electricity.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. Any electric customer who has an interconnection agreement with an electric
6 utility for a customer-owned wind generation facility or has a customer-owned wind generation
7 facility connected to the utility's system may submit a request to the utility and the utility shall
8 transport that electricity to any customer owned or controlled property that is within ten miles
9 of the wind generation facility. If the customer's interconnection agreement is with another
10 electric utility that serves a customer-owned wind generation facility within the ten-mile limit,
11 the customer's electric utility shall make an arrangement on the customer's behalf with the utility
12 serving the generation site to have the power transported to the customer's serving electric
13 utility. This section only applies to a customer-owned wind generation facility that has a
14 nameplate rating of one hundred kilowatts or less.

15 The maximum the utility may charge for transporting the electricity for the customer shall



1 be one-tenth of one cent per kilowatt hour unless the utility determines this charge is
2 insufficient. The utility may choose to perform a cost study which shall be filed with the Public
3 Utilities Commission for review and approval or disapproval subject to chapter 49-34A. The
4 Public Utilities Commission has three months from the date of filing to issue a final decision.